

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 8296 of 2019

Maniram Jatwar S/o Shri Ganesh Ram Jatwar Aged About 63 Years
Retd. Upper Division Teacher, Government Middle School, Katbitla,
Block Korba, District Korba Chhattisgarh, R/o Village And Post
Barpali, Via Bhaisma, District Korba Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, School Education Department, Mahanadi Bhavan, Mantralaya, Atal Nagar, Raipur, District Raipur Chhattisgarh
2. Accountant General, Treasury, Account And Pension, Zero Point, Baloda Bazar Road, Raipur, District Raipur Chhattisgarh,
3. President, Retiral Dues Committee, Office Of Accountant General, Treasury, Account And Pension, Zero Point, Baloda Bazar Road, Raipur, District Raipur Chhattisgarh,
4. District Education Officer Korba, District Korba Chhattisgarh,
5. Joint Director, Treasury, Account And Pension, Division Bilaspur, District Bilaspur Chhattisgarh
6. Block Education Officer Korba, District Korba Chhattisgarh,

--- Respondents

For petitioner- Shri Shashi Kumar Kushwaha, Advocate.
For State-Smt. Richa Shukla, Dy.G.A.
For respondent No.2- Shri Ashwani Shukla, Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order

15/10/2019

1. Learned counsel for the parties would submit that that issue involved and the relief claimed in the present petition are required to be considered by the Pension Committee.
2. This Court in the matter of W.P. No. 4642/2004 (Bajinath Mandal v. The State of Chhattisgarh & Others) and other connected matters directed the Committee to consider the matter of retiral dues as the disputed question of facts were involved. The Committee was constituted by the State Government, pursuant to the order dated 19.06.2006 passed in W.P. No.1961/2006 (Smt. Keja Bai Chandrakar v. State Government and

Others) and order dated 13.03.2008 passed in M.C.C. No. 105 of 2008 (State of Chhattisgarh & Others v. Baijnath Mandal and another) . Thus, this petition is squarely covered by the judgment and order dated 31.01.2008 passed in W.P. No. 4642/2004 Baijnath Mandal (supra) as submitted by learned counsel appearing for the parties.

3. This petition is accordingly disposed of in the same terms i.e. the office of the Advocate General is directed to send the case to the Committee, within a period of 15 days from the date of receipt of copy of the petition from the petitioner and this order. The Committee shall consider and pass a reasoned order within a further period of three months, in accordance with law, after affording proper opportunity of hearing to the parties. The petitioner and the officers concerned may file additional documents, if necessary. The entire exercise, including retiral dues of the employee and other pensionary benefits, if any, to the petitioner be completed within a period of three months from the date of receipt of copy of this order.

4. The petitioner shall supply extra copy of the petition to the learned counsel appearing for the State / respondents for forwarding the same to the Committee.

5. Learned counsel for the petitioner would submit that liberty may be reserved in favour of the petitioner to move a fresh writ petition if the decision made by the Committee on any of the claim including claim for interest is decided against the petitioner.

6. Liberty as prayed for is granted.

7. Accordingly, the writ petition stands disposed of.

Sd/-

(Goutam Bhaduri)

JUDGE